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Appl. No. 10/693,660

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MAR 20 2005

Appl. No. : 10/693,660
Applicant : MARK E. ANDERSON ET AL
Filed : OCT 24 2003
Title : METHOD AND APPARATUS FOR CREATING A PATHWAY IN AN ANIMAL
TC/A.U. : 3643
Examiner : SHAW, ELIZABETH

Docket No. : MEA-0201-C2
Customer No. : 35830

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Sir/Madam:

This is in response to a Notice of Abandonment mailed by the PTO on 02/24/05. The application was deemed abandoned because of Applicant's failure to file a reply to the PTO Office Action mailed on July 13, 2004. Applicants respectfully request that the holding of abandonment be withdrawn and that prosecution of the case be reopened. In this regard, the undersigned notes that a Preliminary Amendment was mailed on July 8, 2004 which "crossed in the mail" with the PTO Office Action of July 13, 2004. The undersigned was in telephone communication with the Examiner during this time period and was under the impression that no action was necessary in response to the Office Action and that a new Office Action would be issued.

Certificate of Facsimile Transmission – To Central Fax – 703-872-9306

I hereby certify this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.



Lawrence N. Ginsberg Reg. No. 30,943

3/20/05

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Appl. No. 10/693,660

Upon receiving the Notice of Abandonment the undersigned attempted to contact Examiner Shaw but was unable to do so because of the transitioning of the PTO telephone system. Supervisory Examiner Teri Luu was contacted on March 7, 2005 who advised the undersigned that the proffering of this Petition was the proper remedy under these circumstances and that no fee was due.

Respectfully submitted,



LAWRENCE N. GINSBERG,
Attorney for Applicant, Reg. No. 30,943

3/20/05
DATE

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